

# AIR QUALITY CLASS II GENERAL OPERATING PERMIT

PERMIT NUMBER: OPINCINERGEN2014

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Facility Name:

NDEQ Facility ID#:

Mailing Address:

Facility Location:

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**Project Description:** This Class II General Operating Permit approves the operation of incinerators.

**Superseded General Operating Permit:** General Operating Permit Issued February 3, 2009.

Pursuant to Title 129, Chapter 14, of the Nebraska Air Quality Regulations, the public has been notified by prominent advertisement of the proposed operation of an air contaminant source and the thirty (30) day period allowed for comments has elapsed. This Class II General Operating Permit approves the operation of an incinerator as identified in the approved Air Quality Class II General Incinerator Operating Permit Application including any supporting information received prior to issuance of this permit (hereafter referred to as the approved application). Additional details can be found in the accompanying Fact Sheet.

Compliance with this permit shall not be a defense to any enforcement action for violation of an ambient air quality standard. Unless otherwise noted, the conditions of this permit are enforceable by the United States Environmental Protection Agency (USEPA) and the Nebraska Department of Environmental Quality (NDEQ). The permit holder, owner, and operator of the source shall assure compliance with all of the terms and conditions in this permit and the Attachments.

The undersigned issues this document on behalf of the Director in accordance with Title 129 – Nebraska Air Quality Regulations as amended December 9, 2013.

**DRAFT**

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Date

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Shelley Schneider, Air Administrator  
Air Quality Division

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## ABBREVIATIONS, SYMBOLS, and UNITS OF MEASURE

AP-42	Compilation of Air Pollutant Emission Factors, Volume I, Stationary Point and Area Sources	NESHAP	National Emission Standards for Hazardous Air Pollutants
BACT	Best Available Control Technology	NO <sub>2</sub>	Nitrogen Dioxide
Btu	British Thermal Unit	NO <sub>x</sub>	Nitrogen Oxides
bu	Bushel	N <sub>2</sub> O	Nitrous Oxides
CAA	Clean Air Act	NSPS	New Source Performance Standard
CE	Control Equipment	NSR	New Source Review
cf	Cubic feet	OP	Operating Permit
CEMS	Continuous Emissions Monitoring System	PAL	Plant-wide Applicability Limit
CFC	Chlorofluorocarbons	PEMS	Predictive Emissions Monitoring System
CFR	Code of Federal Regulations	Pb	Lead (chemical abbreviation)
CO	Carbon Monoxide	PM	Particulate Matter
CO <sub>2</sub>	Carbon Dioxide	PM <sub>2.5</sub>	Particulate Matter with an aerodynamic diameter equal to or less than 2.5 microns
CO <sub>2</sub> e	Carbon Dioxide Equivalent	PM <sub>10</sub>	Particulate Matter with an aerodynamic diameter equal to or less than 10 microns
CP	Construction Permit	PM <sub>10</sub> (total)	Filterable and condensable particulate matter
Director	Director of the NDEQ	ppb	Parts per Billion
dscf	Dry Standard Cubic Feet	ppm	Parts per Million
dscfm	Dry Standard Cubic Feet per Minute	ppmv	Parts per Million by Volume
EMIS	Emergency Management Information System	ppmvd	Parts per Million by Volume, Dry Basis
EQC	Environmental Quality Council	PSD	Prevention of Significant Deterioration
EP	Emission Point	PTE	Potential to Emit
EU	Emission Unit	scf	Standard Cubic Feet
FIP	Federal Implementation Plan	SIC	Standard Industrial Classification
FR	Federal Register	SIP	State Implementation Plan
ft	Feet	SO <sub>2</sub>	Sulfur Dioxide
FTIR	Fourier Transform Infrared	SO <sub>x</sub>	Sulfur Oxides
GHGs	Greenhouse Gases	TDS	Total Dissolved Solids
HAP	Hazardous Air Pollutant(s)	Title 129	Title 129, Nebraska Air Quality Regulations
hp	Horsepower	tpy	Tons per year
hr	Hour	TRS	Total Reduced Sulfur
lb	Pound	TSP	Total Suspended Particulate Matter
LDAR	Leak Detection and Repair	USEPA	United States Environmental Protection Agency
LNB	Low NO <sub>x</sub> Burner	UTM	Universal Transverse Mercator
MACT	Maximum Achievable Control Technology	VHAP	Volatile Hazardous Air Pollutant
Mgal	One Thousand Gallons	VMT	Vehicle Miles Traveled
MMBtu	One Million British Thermal Units	VOC	Volatile Organic Compound
MMgal	One Million Gallons	yr	Year
MMscf	One Million Standard Cubic Feet		
MSDS	Material Safety Data Sheet		
n/a	Not Applicable		
NAAQS	National Ambient Air Quality Standards		
NDEQ	Nebraska Department of Environmental Quality		

## **I. GENERAL CONDITIONS**

- (A) Administrative amendment of this permit for a change in ownership or operational control of this source is allowed provided the NDEQ determines that no other change in the permit is necessary and a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee has been submitted to the NDEQ (Title 129, Chapter 15, Section 001.01D).
- (B) The permittee shall allow the NDEQ, USEPA or an authorized representative, upon presentation of credentials to (Title 129, Chapter 8, Sections 012.02 and 015):
  - (1) Enter upon the permittee's premises at reasonable times where a source subject to this permit is located, emissions-related activity is conducted, or where records must be kept under the conditions of this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (3) Inspect at reasonable times any facilities, pollution control equipment, including monitoring and air pollution control equipment, practices, or operations regulated or required under this permit, for the purpose of ensuring compliance with this permit or applicable requirements;
  - (4) Sample or monitor, at reasonable times, substances or parameters for the purpose of ensuring compliance with the permit or applicable requirements.
- (C) Regulatory authority:
  - (1) Title 40 Protection of Environment, Code of Federal Regulations that apply to the source including those not currently delegated to Nebraska or not yet included in Title 129 - Nebraska Air Quality Regulations, and
  - (2) Title 129 - Nebraska Air Quality Regulations that apply to the source as amended December 9, 2013.
- (D) This permit is issued for a fixed term of five (5) years. A renewal application shall be submitted to the NDEQ a minimum of six (6) months and a maximum of eighteen (18) months before permit expiration. Provided their application is submitted within the above timeframe, the source may continue to operate without a permit from the date the application is determined to be complete until final action on the application is taken by the NDEQ (Title 129, Chapter 8, Section 003, and Chapter 7, Sections 002.06 and 003.04).
- (E) The permittee shall comply with all conditions of this permit. Any permit noncompliance shall constitute a violation of the Nebraska Environmental Protection Act and the Federal Clean Air Act, and is grounds for enforcement action; permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application (Title 129, Chapter 8, Section 007.01).

- (F) It shall not be a defense for a permittee in an enforcement action to claim that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit (Title 129, Chapter 8, Sections 007.02 and 015).
- (G) This permit may be modified; revoked, reopened, and reissued; or terminated for cause in accordance with Title 129 and Title 115, Rules of Practice and Procedure. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or of a notification of planned changes or anticipated noncompliance does not supersede any permit condition (Title 129, Chapter 8, Sections 007.03 and 015).
- (H) Conditions under which this permit will be reopened, revoked, and reissued, or terminated during its term for cause, include but are not limited to (Title 129, Chapter 8, Sections 010 and 015; and Chapter 15, Section 006):
  - (1) Additional applicable requirements under the Nebraska Environmental Protection Act or the Federal Clean Air Act, which become applicable to this source with a remaining permit term of three (3) or more years. No such reopening will occur if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended;
  - (2) Additional requirements, including excess emissions requirements, that become applicable to an affected source under the acid rain program under Chapter 26;
  - (3) A determination by the Director, or the Administrator of USEPA that:
    - (a) The permit must be revoked and reissued to ensure compliance with the applicable requirements;
    - (b) The permit contains a material mistake or that inaccurate statements were made in the emissions standards or other terms or conditions of the permit;
    - (c) An applicable requirement or applicable requirement under the Federal Clean Air Act applies which was not identified by the permittee in its application;
- (I) This permit may be revoked during its term for cause, including but not limited to (Title 129, Chapter 8, Sections 010 and 015; and Chapter 15, Section 006.02):
  - (1) The existence at the source of unresolved noncompliance with applicable requirements or a term or condition of the permit, and refusal of the permittee to agree to an enforceable schedule of compliance to resolve the noncompliance;
  - (2) The submittal by the permittee of false, incomplete, or misleading information to the NDEQ or USEPA;
  - (3) A determination by the Director that the permitted source or activity endangers human health or the environment and that the danger cannot be removed by a revision of the permit; or
  - (4) The failure of the permittee to pay a penalty owed pursuant to court

order, stipulation and agreement, or order issued by the Administrator of the USEPA.

- (J) The permit does not convey any property rights of any sort, or any exclusive privilege (Title 129, Chapter 8, Sections 007.04 and 015).
- (K) The permittee shall furnish to the NDEQ, within the time specified by the NDEQ, any information requested by the NDEQ in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the NDEQ copies of records required to be kept in accordance with the permit or, for information claimed to be confidential, the permittee may furnish such records along with a claim of confidentiality pursuant to Title 115 - Rules of Practice and Procedure (Title 129, Chapter 8, Sections 007.05 and 015).
- (L) The provisions of this permit supersede the provisions of any previously issued operating permit, except provisions contained in an operating permit covering emissions activities or units not addressed by this general incinerator permit. Previously issued construction permits are applicable requirements of this permit, except those construction permits that have been superseded by another construction permit. Any specific condition in a construction permit that is more stringent than or not otherwise addressed in Condition III of this general operating permit is an applicable requirement of this permit (Title 129, Chapter 8, Sections 002, 007.06, 009, 011, 015, and Chapter 9, Section 006).
- (M) In the event of a challenge to any portions of this permit, the unchallenged permit requirements shall remain valid (Title 129, Chapter 8, Section 006).
- (N) The following methods may be used to determine compliance with the terms and conditions in this permit (Title 129, Chapter 34, Section 008):
  - (1) Any compliance test method specified in the State Implementation Plan;
  - (2) Any test or monitoring method approved for the source in a permit issued pursuant to Title 129, Chapter 8, 17, 19, or 26;
  - (3) Any test or monitoring method provided for in Title 129; or
  - (4) Any other test, monitoring, or information-gathering method that produces information comparable to that produced by any method described in I.(N)(1) through (3).
- (O) Open fires are prohibited except as allowed by Title 129, Chapter 30.
- (P) Particulate Matter – General Requirements (Title 129, Chapter 32).
  - (1) The permittee shall not cause or permit the handling, transporting or storage of any material in a manner which allows particulate matter to become airborne in such quantities and concentrations that it remains visible in the ambient air beyond the property line.
  - (2) The permittee shall not cause or permit the construction, use, repair or demolition of a building, its appurtenances, a road, a driveway, or an open area without applying all reasonable measures to prevent particulate matter from becoming airborne and remaining visible beyond the property line. Such measures include, but are not limited to, paving or

frequent cleaning of roads, driveways and parking lots; application of dust-free surfaces; application of water; and planting and maintenance of vegetative ground cover.

- (Q) Application for review of plans or advice furnished by the Director will not relieve the source of legal compliance with any provision of these regulations, or prevent the Director from enforcing or implementing any provision of these regulations (Title 129, Chapter 37).
- (R) If and when the Director declares an air pollution episode as defined in Title 129, Chapter 38, Section 003.01B, 003.01C, or 003.01D, the permittee shall immediately take all required actions listed in Title 129, Appendix I, Paragraph 1.1, 1.2, and 1.3, respectively, until the Director declares the air pollution episode terminated (Title 129, Chapter 38, Section 003).

## II. SPECIFIC CONDITIONS

Terms and conditions of this permit are in accordance with the requirements of Title 129, Chapter 8, Sections 001 and 015. The specific applicable requirement that is the basis for each specific permit condition is listed with each permit condition.

- (A) Recordkeeping: To ensure compliance with this permit, records shall be maintained as outlined below. Records include, but are not limited to: copies of all applications, notifications, reports, test protocols, test results, and plans; and, originals of all monitoring results, measurements, inspections, and observations (Title 129, Chapter 8, Sections 004.02 and 015.02).
- (1) All records required by this permit shall be kept on-site for a minimum of five (5) years and shall be clear and readily accessible to NDEQ representatives, unless otherwise specified in this permit.
  - (2) Monthly calculations and records required throughout this permit shall be compiled no later than the fifteenth (15<sup>th</sup>) day of each calendar month and shall include all records and calculations generated through the previous calendar month, unless otherwise specified in this permit.
  - (3) The source shall keep the following records for each malfunction, start-up and shutdown where emissions were, or may have been, in excess of an emission limitation or standard (Title 129, Chapter 6, Sections 002 and 005; Chapter 8, Section 004.03B and 015.03; Chapter 11; and Chapter 35, Sections 002, 004 and 005):
    - (a) The identity of the equipment.
    - (b) Reason for, or cause of, the malfunction, shutdown, or start-up.
    - (c) Duration of period of excess emissions.
    - (d) Date and time of the malfunction, shutdown, or start-up.
    - (e) Physical and chemical composition of pollutants whose emissions are affected by the action.
    - (f) Methods, operating data, and/or calculations used to determine these emissions.
    - (g) Quantification of emissions in the units of the applicable emission control regulation.
    - (h) All measures utilized to minimize the extent and duration of excess emissions during the malfunction, shutdown, and start-up.
  - (4) The source shall keep records of maintenance performed on all permitted emission units, permitted control equipment, and required monitoring equipment (Title 129, Chapter 8, Section 004.01C and 015.02; Chapter 11, Section 001; Chapter 34, Section 006; and Chapter 35, Sections 006.02 and 006.05).
  - (5) Except for electronically generated records, all manually entered records of opacity readings, instrument readings, visual equipment inspections, log book entries, and any other record of equipment performance shall be initialed, or otherwise signed, by the individual who entered the record.



- (6) Operation and maintenance manuals, or equivalent documentation, detailing proper operation and maintenance of all permitted emission units, required control equipment and required monitoring equipment shall be kept for the life of the equipment.

(B) Submittals/Reporting:

All submittals, including reports, required by Condition II.(B) and Condition II.(D)(1)(g) shall contain a certification by a responsible official of truth, accuracy, and completeness. This certification shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete (Title 129, Chapter 1, Section 135; Chapter 7, Section 008; and Chapter 8 Sections 012.01 and 015).

The following reports shall be submitted to the NDEQ as specified:

- (1) Certification of compliance with the terms and conditions of this permit, including emission limitations, standards, or work practices, for the preceding calendar year, shall be submitted to the NDEQ by March 31 of each year. The report must be certified by a responsible official and shall include the following (Title 129, Chapter 8, Sections 012.05C and 015.03):
  - (a) The identification of each term or condition of the permit that is the basis of the certification;
  - (b) The compliance status;
  - (c) A determination of whether compliance was continuous or intermittent;
  - (d) The methods used for determining the compliance status of the source, currently and over the reporting period; and,
  - (e) All instances of deviations from permit requirements, including those attributable to start-ups, shutdowns or malfunctions, the probable cause of such deviations, and any corrective actions or preventive measures taken.
- (2) The permittee shall submit completed emission inventory forms for the preceding calendar year to the NDEQ by March 31 of each year (Title 129, Chapter 6).
- (3) Any emissions from emergency or upset conditions, or that are due to malfunctions, unplanned shutdowns, and ensuing start-ups that are, or may be, in excess of applicable emission limitations shall be reported within two (2) working days of the date on which the permittee first becomes aware of the excess emissions. The report may be submitted initially without a certification by the responsible official, as required in Condition II.(B) above, if an appropriate certification is provided within ten (10) days thereafter, together with the information required under Condition II.(A)(3) and any corrected or supplemental information required concerning the event (Title 129, Chapter 11 and Chapter 35, Sections 004 and 005).

- (C) The permittee may make the changes identified in Condition II.(C)(1) within a

permitted source without a permit revision if the change is not a modification which would require a construction permit under Chapters 17, 18, 19, 23, 27, and 28; the change does not result in the emissions allowable under the permit being exceeded; the changes do not violate any terms of this permit related to monitoring, testing, recordkeeping, reporting, or compliance certification; and the changes do not violate any applicable requirements (Title 129, Chapter 15, Section 007).

- (1) Changes in the configuration of the source's equipment, defined as "Section 502(b)(10) changes", as defined in Title 129, Chapter 1, Section 139 (Title 129, Chapter 15, Section 007.01). Written notification of these changes shall be sent to the NDEQ as follows:
  - (a) Non-Emergencies (Title 129, Chapter 1, Section 139; Chapter 15, Section 007):
    - (i) Written notification shall be received by the NDEQ a minimum of thirty (30) days in advance of the proposed changes;
  - (b) Emergencies (Title 129, Chapter 1, Section 139; Chapter 15, Section 007):
    - (i) Initial notification shall be made within two working days of the date on which the permittee first becomes aware of the need for the change;
    - (ii) A follow-up written notification shall be submitted as soon as practicable; and,
    - (iii) The notifications shall include an explanation of the nature of the emergency.
  - (c) Required information (Title 129, Chapter 15, Section 007.01):
    - (i) A brief description of the change within the permitted source (Chapter 15, Section 007.01A);
    - (ii) The date on which the change will occur (Chapter 15, Section 007.01B);
    - (iii) Any change in emissions (Chapter 15, Section 007.01C); and,
    - (iv) Any permit term or condition that is no longer applicable as a result of the change (Chapter 15, Section 007.01D).
  - (d) A copy of the notification shall be attached to the source's copy of the operating permit (Title 129, Chapter 15, Section 007).
- (2) Testing requirements:
  - (a) Testing may be required if a change reported under Condition II.(C)(1) involves an emissions unit that was previously tested (Title 129, Chapter 8, Section 004.01B and 015; Chapter 34).

(D) Testing:

- (1) Performance tests, when required by the NDEQ, shall be completed as follows:
  - (a) The owner or operator of a source shall provide the NDEQ at least thirty (30) days written notice prior to testing to afford the NDEQ an opportunity to have an observer present (Title 129, Chapter 34, Section 003).
  - (b) The owner or operator shall provide the NDEQ with an emissions testing protocol at least thirty (30) days prior to testing.
  - (c) Testing shall be conducted according to the methodologies found in Title 129, Chapter 34, Section 002, or other NDEQ approved methodologies (Title 129, Chapter 34, Section 002).
  - (d) Performance tests shall be conducted while operating at full capacity, unless otherwise specified by the NDEQ (Title 129, Chapter 8, Sections 004.01B, 012.01, and 015.03).
  - (e) Performance tests shall be conducted for a minimum of three (3) one-hour runs unless another run-time is specified by the applicable Subpart or as deemed appropriate by the NDEQ (Title 129, Chapter 8, Sections 004.01B, 012.01B, and 015.03).
  - (f) The owner or operator shall monitor and record the operating parameters for process and control equipment during the performance testing required in the permit (Title 129, Chapter 8, Sections 004.01B, 012.01, and 015.03).
  - (g) A written copy of the test results, signed by the person conducting the test, shall be provided to the NDEQ within forty-five (45) days of completion of the test and will, at a minimum, contain the following items (Title 129, Chapter 8, Sections 004.01B, 012.01 and 015.03; Chapter 34, Section 002.07):
    - (i) A description of:
      1. The operating parameters for the emissions unit during testing. Examples include, but are not limited to, production rates, process throughputs, firing rates of combustion equipment, or fuel usage; and,
      2. The operating parameters for the control equipment during testing. Examples include, but are not limited to, baghouse fan speeds, scrubber liquid flow rates, or pressure drop across the control device.
    - (ii) Copies of all data sheets from the test run(s).
    - (iii) A description and explanation of any erroneous data or unusual circumstance(s) and the cause for such situation.

- (iv) A final conclusion section describing the outcome of the testing.
- (E) All permitted emission units, control equipment, and monitoring equipment shall be properly installed, operated and maintained (Title 129, Chapter 8, Section 004.01C and 015; Chapter 11, Section 001; Chapter 34, Section 006; and Chapter 35, Sections 006.02 and 006.05).
- (F) Requirements Becoming Effective During the Term of this Permit: The source will meet, in a timely manner, applicable requirements that become effective during the permit term, unless a more detailed schedule is expressly required by the applicable requirement (Title 129, Chapter 7, Section 006.02H, and Chapter 8, Sections 012.03, 013, and 015).
- (G) In the event of any discrepancies between applicable NSPS or NESHAP standards and the terms and conditions of this permit, the NSPS or NESHAP standards shall take precedence unless they are less stringent (Title 129, Chapter 8, Section 013).
- (H) The approved application is hereby incorporated by reference. The source must comply with those provisions in the approved application.

**III. SPECIFIC CONDITIONS FOR AFFECTED EMISSION POINTS****(A) Permitted Emission Points:**

The source's approved application identifies the emission units/points and control equipment at the source at the time of permit issuance.

**(B) Emission Limitations and Testing Requirements:**

- (1) Combined pollutant emission rates from all incinerator units covered by a General Incinerator Permit at the source shall be less than the following: (Title 129, Chapter 5, Section 001.03)

<b>Pollutant</b>	<b>Permitted Limit on a Twelve Consecutive Rolling Calendar Month Basis (tons)</b>
Nitrogen oxides (NO <sub>x</sub> )	< 100
Sulfur oxides (SO <sub>x</sub> )	< 100
Carbon monoxide (CO)	< 100
Volatile organic compounds (VOCs)	< 100
Particulate matter less than 10 microns in diameter (PM <sub>10</sub> )	< 100
Particulate matter less than 2.5 microns in diameter (PM <sub>2.5</sub> )	< 100
Any single hazardous air pollutant (HAP)	< 10
Total Combined HAPs	< 25
Lead (Pb)	< 5
Greenhouse Gases (GHG) (mass basis)	< 100
GHG (CO <sub>2</sub> e basis)	< 100,000

- (2) Particulate matter emissions (PM) from any incinerator shall not exceed 0.10 grains per dry standard cubic foot (gr/dscf) of exhaust gas, corrected to seven (7) percent oxygen. (Title 129, Chapter 22, Section 002)
- (a) Compliance shall be demonstrated through compliance with Condition III.(D)(1)(f).
- (3) The source shall not cause or allow particulate matter caused by the combustion of fuel to be emitted from any stack or chimney into the outdoor atmosphere in excess of the hourly rate set forth in Title 129, Chapter 20, Table 20-1. (Title 129, Chapter 20, Sections 002)
- (a) Compliance shall be demonstrated through compliance with Conditions II.(E), III.(C)(3) and (4), and Conditions III.(D)(1)(d) and (e).
- (4) Incinerators in existence prior to February 26, 1974 shall not allow sulfur oxides to be emitted from any existing fossil fuel burning equipment in excess of two and one half (2.5) lb/MMBtu input, maximum 2-hour average. (Title 129, Chapter 24, Section 001)

- (a) Compliance shall be demonstrated through compliance with Conditions II.(E), III.(C)(3) and (4), and Conditions III.(D)(1)(d) and (e).
  - (5) No person shall cause or allow emissions, from any source, which are of an opacity equal to or greater than twenty (20) percent. (Title 129, Chapter 20, Section 004)
    - (a) Compliance shall be demonstrated through compliance with III.(C)(7).
  - (6) Performance testing, if required, shall be conducted in accordance with Specific Condition II.(D) and the following: (Title 129, Chapter 34)
    - (a) Waste burned during performance testing shall be representative of the waste normally generated by the incinerator and shall be charged at a rate equal to the burning capacity of the incinerator. (Title 129, Chapter 22, Section 004)
      - (i) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Director in accordance with good engineering practice. (Title 129, Chapter 22, Section 003)
- (C) Operational and Monitoring Requirements:
  - (1) The source shall calculate emissions each month and each period of twelve (12) consecutive rolling calendar months for each incinerator and all applicable incinerators combined, using the actual incinerator throughput and the emission factors used to perform calculations in the approved application to demonstrate compliance with Condition III.(B)(1).
  - (2) The incinerator throughput rating shall not exceed the limited rate(s) indicated in the approved application, if applicable. (Title 129, Chapter 8, Section 015.01 and Chapter 9, Section 007)
    - (a) If the limit on incinerator throughput rating indicated in the approved application is in units other than tons per year, the source shall convert the limit to tons per year.
  - (3) Emission control device(s) required to limit actual and/or potential emissions in the approved application, if applicable, shall be maintained and operated in accordance with the manufacturer's instructions. The emission control device(s) shall operate at all times the incinerator operates. (Title 129, Chapter 8, Section 015.02 and Chapter 9, Section 007)
  - (4) Fuel combustion shall include natural gas, propane, or Number 2 fuel oil. No other fuel type shall be used without NDEQ approval. If the source wants to use another fuel type, then the source shall request permission from the NDEQ in writing. (Title 129, Chapter 9, Section 007; Chapter 8, Sections 004.01B and 015)

- (5) Less than ten (10) percent by weight, as measured on a calendar quarter basis, of the total fuel feed stream combusted in any incinerator shall be hospital waste and medical/infectious waste as defined in 40 CFR 60.51c. (40 CFR 60.32e(c) and 40 CFR 60.50c(c))
- (6) The following materials shall not be combusted in an incinerator: hazardous waste (non-household generated), sewage sludge, automobile fluff, electrical wire insulation combusted for metal wire recovery, automotive battery and battery cases, tires, used oil, railroad ties, and telephone poles. (Title 129, Chapter 9, Section 007 and Chapter 8, Section 013)
- (7) Compliance with Condition III.(B)(5) shall be demonstrated through the following.
  - (a) A source representative shall conduct daily visible emissions surveys, during daylight hours, of all incinerators during periods of normal operation.
  - (b) The results of the visible emissions surveys shall be recorded in a log, which shall include, at a minimum, the following items.
    - (i) The emission points included in the survey.
    - (ii) All emission points from which visible emissions occurred (except for water vapor).
    - (iii) Emission points for which the units were not in operation during the survey.
    - (iv) Each entry shall be dated and initialed, or otherwise signed, by the person conducting the visible emissions survey.
  - (c) For deviation reporting purposes, visible emissions from an incinerator shall be considered a deviation and shall be reported in accordance with Condition II.(B).
- (D) Recordkeeping and Reporting Requirements:
  - (1) The source shall maintain the following records: (Title 129, Chapter 8, Section 015)
    - (a) Emissions calculations to comply with Condition III.(C)(1)
    - (b) An operation log for each incinerator recording the following:
      - (i) Contents and weight of waste combusted each operating cycle, each calendar month, and for each period of twelve (12) consecutive rolling calendar months to demonstrate compliance with Conditions III.(C)(2) and III.(C)(6)
      - (ii) Whether the control device, if applicable, was operating during each operating cycle to demonstrate compliance

with Condition III.(C)(3)

- (iii) The results of visible emissions surveys on site to demonstrate compliance with Condition III.(C)(7)
  - (c) Receipts for fuel combusted to demonstrate compliance with the Condition III.(C)(4).
  - (d) Instructions for proper operation of applicable emission control devices shall be posted on-site to demonstrate compliance with Condition III.(C)(3).
  - (e) Instructions for proper operation of each incinerator shall be posted on site and written certification that each operator has read these instructions, understands them and intends to comply, shall be kept on record by the owner. (Title 129, Chapter 22, Section 005)
  - (f) Documentation from manufacturer specifications, stack test results, or other equivalent documentation that each incinerator complies with the limitation in Condition III.(B)(2).
    - (i) If adequate documentation is unavailable, performance testing may be required.
  - (g) Any other records that are required by Condition II.(A).
- (2) If any incinerator combusts hospital waste and/or medical/infectious waste, the source shall notify the NDEQ of an exemption claim which provides an estimate of the relative amounts of hospital waste, medical/infectious waste, and other fuels and wastes to be combusted. (40 CFR 60.32e(c) and 40 CFR 60.50c(c)).
- (a) In addition to the recordkeeping requirements of Condition III.(D)(1)(b)(i), the source shall keep records on a calendar quarter basis of the weight of hospital waste and medical/infectious waste combusted, and the weight of all other fuels and wastes combusted at the co-fired combustor to demonstrate compliance with Condition III.(C)(5).
- (3) Reporting shall be done in accordance with Condition II.(B).